THE HON'BLE MR JUSTICE B.PRAKASH RAO

And

THE HON'BLE MR JUSTICE D.APPA RAO

WRIT APPEAL NO.1649 of 2005

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22nd February 2006

(Writ Appeal under Clause 15 of the Letters Patent against the Order dated 20.08.2005 in W.P.NO.16961 OF 2001 on the file of the High Court.)

Between:

Mrs. Shajia Ferhat W/o Syed Mubeen Ahmed Junior Lecturer in Hindi Islamia Junior College, Warangal.

...APPELLANT

AND

1. Government of Andhra Pradesh rep by Secretary Higher Education Secretariat Buildings, Hyderabad.

And four others.

...RESPONDENTS

THE HON'BLE MR JUSTICE B.PRAKASH RAO

And

THE HON'BLE MR JUSTICE D.APPA RAO

WRIT APPEAL NO.1649 OF 2005

JUDGMENT: (Per the Hon'ble Mr Justice B.Prakash Rao)

Heard Sri Rama Rao Philkhana, the learned counsel appearing for the appellant and the learned Government Pleader for Higher Education appearing for respondent Nos.1 to 4 and Sri Sadu Rajeswara Reddy, the learned counsel appearing for the contesting respondent No.5.

This appeal is at the instance of the appellant/writ petitioner where under she sought to assail the validity of the Rules concerned in regard to certain proceedings.

After hearing the learned counsel on either side and on perusal of the material available on record, it is evident that the counsel for the appellant was not heard at the stage of disposal of the Writ Petition and the same was recorded. It is only after

hearing the counsel; the Writ Petition has to be disposed of. Having regard to the aforesaid aspect and in view of several other questions for which no opportunity was given at initial stage, we deem it appropriate to give one more opportunity for considering the pleas as raised on behalf of the appellant as well from proper perspective.

Accordingly, the Writ Appeal is allowed. The order of the learned Single Judge dated 20.08.2005 is set aside. No costs.

Office is directed to post the Writ Petition being W.P.No.16961 of 2001 'For Final Hearing' before the regular Court hearing the matters on 06.03.2006. The learned counsel for the fifth respondent also represents that there is connected Writ Petition being W.P.No.3050 of 2006. Office is directed to post both the Writ Petitions together.

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(B.PRAKASH RAO, J)

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(D.APPA RAO, J)

22nd February 2006

RRB